

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Myyaun Tavaz NEWTON

Case No. 2:23-mj-581

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2023 in the county of Franklin in the Southern District of Ohio, the defendant(s) violated:

Code Section

18 USC 922(g)(1)

Offense Description

Knowingly Possess a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

SEE ATTACHED

☒ Continued on the attached sheet.

SAMUEL  
CHAPPELL  
(Affiliate)

Digitally signed by SAMUEL  
CHAPPELL (Affiliate)  
Date: 2023.10.18 10:29:12  
-04'00'

Complainant's signature

S. Chappell ATF TFO

Printed name and title

Sworn to before me and signed in my presence.

Date: October 18, 2023

City and state: Columbus Ohio

Kimberly A. Tolson  
United States Magistrate Judge



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**PROBABLE CAUSE AFFIDAVIT**  
**Myyaun Tavaz NEWTON**

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I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against Myyaun Tavaz NEWTON (hereinafter referred to as NEWTON) for, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessing a firearm, and the firearm was in and affecting interstate commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).
3. The facts set forth within this affidavit come from the Affiant's own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that NEWTON committed this offense.
4. According to a CPD report that I have reviewed, on or about July 27, 2023, at approximately 7:00 a.m., the Columbus Division of Police's SWAT unit and the U.S. Marshal's Southern Ohio Fugitive Apprehension Task Force (SOFAST) executed a warrant at 1505 Minnesota Avenue, Columbus, Ohio, to arrest NEWTON for multiple counts of Felonious Assault out of Franklin County, Ohio, in case number 21 CR 1543.
5. Officers called into the house to NEWTON's girlfriend, Lyric, who opened the door. They entered the residence and yelled to NEWTON for approximately 10 minutes, both from downstairs and from outside the bedroom door on the second floor, which the girlfriend had indicated NEWTON was in. They also telephoned NEWTON's phone and could hear it ringing. Receiving no response, officers entered the bedroom and placed NEWTON under arrest. NEWTON appeared to have been asleep. He had the odor of alcoholic beverage on or about his person. Two small children clad only in diapers were in the room, at least one was on the bed with NEWTON. Officers found a Glock 27 .40 caliber handgun serial BWBW603 underneath the pillow where NEWTON was lying.
6. Felony Assault and Crime Scene Search Unit detectives then executed a residential search warrant at the home. Detectives recovered the Glock 27 .40 handgun earlier discovered by SWAT officers and saw it was loaded with live ammunition. Detectives found a black backpack in the bedroom where NEWTON was arrested, which contained: baggies of powder and pills substance resembling street narcotics; NEWTON's Ohio identification card; assorted bills; and

**PROBABLE CAUSE AFFIDAVIT****Myyaun Tavaz NEWTON**

an additional loaded Glock .40 magazine. Detectives also found a loaded Ruger LCP .380 handgun in a purse located on top of the kitchen refrigerator.

7. Later testing by the Columbus Police Crime Laboratory determined the powder was less than a gram of methamphetamine and the pills contained fentanyl.
8. During a post arrest interview NEWTON denied possession of the firearms and narcotics.
9. NEWTON was prohibited from possession of a firearm based upon having been previously convicted of the following crime punishable by a term of imprisonment exceeding one year:
  - a. Franklin County, Ohio Court of Common Pleas case 16CR001032 for weapons under disability.
  - b. Franklin County, Ohio Court of Common Pleas case 16CR001582 for weapons under disability.
  - c. Franklin County, Ohio Court of Common Pleas case 21CR003978 for weapons under disability.
10. Records from the Franklin County, Ohio Court of Common Pleas case 16CR001582 show that on or about September 29, 2016, NEWTON signed a guilty plea that listed his maximum term of incarceration as three years.
11. Your Affiant confirmed via ATF resources that the Glock 27 .40 caliber handgun serial BWBW603 possessed by NEWTON on or about July 27, 2023, was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio.
12. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
13. Based on this information, your affiant believes probable cause exists that NEWTON, knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, Glock 27 .40 caliber handgun serial BWBW603 and the firearm was in and affecting interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

SAMUEL  
CHAPPELL  
(Affiliate)

Digitally signed by SAMUEL  
CHAPPELL (Affiliate)  
Date: 2023.10.18 10:29:26  
-04'00'

October 18, 2023

ATF TFO Samuel Chappell

Sworn to and subscribed before me this day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ Columbus, Ohio.

  
Kimberly A. Tolson  
United States Magistrate Judge

